

REMARKS

1. Applicant thanks the Examiner for the Examiner's comments which have greatly
5 assisted Applicant in responding.

2. Non-elected Claims 52-136 are cancelled without prejudice, per request of the
Examiner.

10 3. **35 USC §102.**

The Examiner rejected Claims 1, 3, 8-13, 17, 25, 26, 28-35, and 37 as being anticipated
by Aleia *et al* (Aleia) US Patent No. 5,991,733. The Examiner cited Aleia's Col. 7, line
26 through Col. 8, line 9; Col. 8, line 61 through Col. 9, line 14; Col. 10, lines 2-18; and
15 Aleia's Claim 1.

Applicant respectfully disagrees.

Claim 1 appears as follows:

20

1. A computer implemented method of predicting the likelihood of collecting on a
delinquent debt on an account, the method comprising:

storing a predictive model of debt collection likelihood generated using historical data of delinquent debt accounts, the collection methods used in each account, and the success of the collection methods in each account;

receiving data of a currently delinquent debt account;

5 selecting a collection method; and

generating a signal indicative of the likelihood of collecting on the currently delinquent debt by applying the data of the currently delinquent debt account and the selected collection method to the predictive model.

10 Because the Examiner cited blocks of text from Aleia and did not make a correspondence between elements from such blocks of text with elements of the claimed invention, it is not perfectly clear how the claimed invention is anticipated by Aleia. However, Applicant has tried his best to address the rejection.

15 Specifically, in Col. 7, line 26 through Col. 8, line 9, Aleia teaches (emphasis added):

"Under the present invention, recommended actions are made to external
resources during the transaction life cycle based upon objective evaluation of all
available data and the results of decisions made on prior, like cases, as recorded in
20 the data warehouse."

"'Historical Data Warehouse' (FIG. 1F) is defined as the totality of data elements in
all tables and the recorded outcomes of all the associated actions taken during the
transaction life cycle of all the cases stored in the system. This data is used in

conjunction with the analysis of th account profile 140 and customer profile 132 on new cases to perform diagnostic analysis when the delinquent accounts are first referred for collection,"

5 From Col. 8, line 61 through Col. 9, line 14:

"The present invention compares these factors when the account is first referred to it with the composite profile of like cases that were successfully resolved and stored in the data warehouse to compose an initial strategy assignment and to derive a POV
10 of the new case."

Also, from Col. 10, lines 2-18:

The adaptive control and data mining engines review the historical data base to
15 determine which actions contribute to the success factors. In addition, the 'AD-HOC' activities of the collectors in defining strategy and actions is also integrated into the model."

Applicant is of the opinion that Aleia teaches using historical data from a data
20 warehouse and determining those actions which have contributed to success factors in the past. However, Aleia does not specifically teach generating a predictive model of debt collection likelihood using **historical data of delinquent debt accounts, the collection methods used in each account, and the success of the collection methods in each account.**

Also, Aleia does not specifically teach generating a signal indicative of the likelihood of collecting on the currently delinquent debt by applying the data of the currently delinquent debt account and the selected collection method to the predictive
5 model.

Applicant is of the opinion that Aleia does not teach inputting the data cited above into a predictive model. Aleia teaches performing analysis, but is does not teach the method of Claim 1 of the claimed invention.

10

Therefore, because the prior art of record does not teach every element of Claim 1, Applicant is of the opinion that Claim 1 overcomes the 35 USC Section 102(e) rejection. Hence, the dependent claims of Claim 1 is deemed to overcome the 35 USC Section 102(e) rejection. Accordingly, because Claim 1 and its dependent claims are deemed in
15 allowable condition, Applicant respectfully requests that the Examiner withdraw the rejection under 35 USC Section 102(e).

4. 35 USC §103.

20 The Examiner rejected Claims 2, 3-7, 14-16, 18-24, 27, 36, and 38-51 as being unpatentable over Aleia under 35 USC §103(a).

The rejection under 35 USC §103(a) is deemed moot in view of the argument hereinabove. Therefore, Claims 2, 3-7, 14-16, 18-24, 27, 36, and 38-51, each

dependent on Claim 1, which itself is deemed in allowable condition, are deemed in allowable condition. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection under 35 USC §103(a).

5 5. It should be appreciated that Applicant has elected to amend the Claim 47 solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). Applicant respectfully points out that the amendment is for correcting an inadvertent spelling error. In making such amendment, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled. Rather, 10 Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

15

Respectfully Submitted,



Michael A. Glenn,

Reg. No. 30,176

20

Customer No. 22862